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15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 UNITED STATES OF AMERICA,)

18 Plaintiff,)

19 v.)

20 CLIVEN BUNDY,)

21 Defendant.)
22

Case No: 2:98-cv-00531-LRH-VCF

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE
RESPONSE
(First Request)**

AND ORDER THEREON

23 Pursuant to Local Rule IA 6-1, Plaintiff United States of America ("Plaintiff")
24 respectfully requests an extension of time of 24 days to December 22, 2017 to respond to
25 Defendant Cliven Bundy's ("Defendant") motion seeking to reopen this civil action, and to
26 vacate a 2013 order enforcing an injunction against Defendant, filed on November 14, 2017.
27 ECF No. 61.
28

1 The current deadline to respond is **November 28, 2017**. Defendant does not oppose this
2 request. This is Plaintiff's first request for an extension of this deadline.

3 Respectfully submitted this 22nd day of November 2017.

4 JEFFREY H. WOOD
Acting Assistant Attorney General

5 /s/ Romney S. Philpott
6 ROMNEY S. PHILPOTT
7 Senior Attorney
8 TERRY PETRY
Trial Attorney

9 **MEMORANDUM OF POINTS AND AUTHORITIES**

10 Local Rule IA 6-1 permits parties to file motions for extensions of time to respond to a
11 motion. A party filing a motion to extend must "state the reasons for the extension." Local Rule
12 IA 6-1. Plaintiff seeks an extension of time of 24 days, from **November 28, 2017 to December**
13 **22, 2017**, in which to respond to Defendant's Motion, for the following reasons:

14 This case has been pending since 1998, when Plaintiff filed a complaint against
15 Defendant for trespass damages and to permanently enjoin him from trespassing on federal land
16 formerly known as the Bunkerville Allotment. ECF No. 1. Since that time, this case has been
17 the subject of a summary judgment order, ECF No. 18, the unsuccessful appeal of that order,
18 ECF Nos. 23 & 43, and various motions regarding injunctive relief against Defendant. ECF
19 Nos. 22, 36, 50. Most pertinent to this motion, on October 9, 2013, this Court granted Plaintiff's
20 Motion to Enforce Injunction against Mr. Bundy, and issued an order enjoining Defendant from
21 taking certain actions and providing Plaintiff with additional injunctive relief. ECF No. 56.

22 For the next four years, nothing was filed in this case. Then, on November 14, 2017,
23 Defendant filed his Motion to Reopen, Set Aside & Vacate Orders . . . Pursuant to Rule 60(b)
24 ("Motion"). ECF No. 61. In his Motion, Defendant provides his account of the history of this
25 case, and raises various arguments as to why the Court's October 2013 order should be vacated.
26 Under the Court's local rules, Plaintiff's response to the Motion is due on November 28, 2017.

27 Plaintiff has assigned a new attorney to prepare a response to Defendant's Motion.
28 Plaintiff's attorney who handled the proceedings leading up to the October 2013 order cannot

1 take a lead role due to preexisting deadlines and demands in other matters. Thus, in order to
2 provide the Court with an adequate and informed response, Plaintiff's newly-assigned counsel
3 will need to familiarize himself with the prior proceedings in this case (which was originally
4 filed in 1998), as well as to analyze and address the specific arguments in Defendant's Motion.

5 The current deadline of November 28, 2017, follows the Thanksgiving holiday, and falls
6 on a day on which undersigned counsel is scheduled to appear in a substantive hearing.

7 Defendant does not oppose Plaintiff's requested extension, and identifies no need for an
8 expedited decision on his Motion, as this case has been dormant for over four years.

9 Plaintiff's request is submitted in good faith, and not for purposes of undue delay.
10 Moreover, no prejudice will result.

11 Under these circumstances, Plaintiff respectfully requests that the Court grant this
12 unopposed motion for an extension of time of 24 days to December 22, 2017 in which to
13 respond to Defendant's Motion

14 Respectfully submitted November 22, 2017.

15 JEFFREY H. WOOD
16 Acting Assistant Attorney General

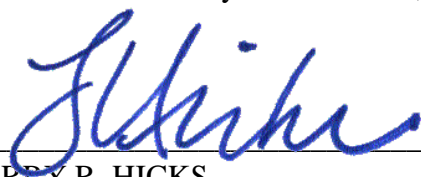
17 s/ Romney S. Philpott
18 ROMNEY S. PHILPOTT
19 Senior Attorney
20 TERRY PETRY
21 Trial Attorney

22 STEVEN W. MYHRE
23 Acting United States Attorney
24 TROY K. FLAKE
25 Assistant United States Attorney

26 *Attorneys for the United States*

27 **IT IS SO ORDERED:**

28 DATED this 28th day of November, 2017.

29 
30 LARRY R. HICKS
31 UNITED STATES DISTRICT JUDGE